

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SEIBENTHAULER LODGE,

Plaintiff,

v.

No. 2:17-cv-1180-MV-KRS

CITY OF CLOVIS; CLOVIS POLICE
DEPARTMENT; OFFICER BRENT AGUILAR;
OFFICER BRICE STACEY; OFFICER
STEPHEN BORDERS; OFFICER AMADA
BOREN; OFFICER CHRISTOPHER CARON;
OFFICER DOUGLAS OSBORN; and
OFFICER CHRISTIAN TOWNSEND,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on February 1, 2018. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan as modified herein.

IT IS, THEREFORE, ORDERED that the parties shall adhere to the following discovery plan:

- (a) Maximum of 25 interrogatories per side (Plaintiff/Defendants) to the other side with responses due 30 days after service.
- (b) Maximum of 25 requests for admission per side to the other side with responses due 30 days after service.
- (c) Maximum of 25 requests for production per side to the other side with responses due 30 days after service.

(d) Maximum of ten (10) depositions per side not to exceed the durational limitation in Fed. R. Civ. P. 30.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

(a) Deadline for Plaintiff to amend join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **February 28, 2018;**

(b) Deadline for Defendants to amend join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **March 19, 2018;**

(c) Plaintiff's expert-disclosure deadline: **April 16, 2018;**

(d) Defendant's expert-disclosure: **May 31, 2018;**

(e) Deadline for supplementing discovery/disclosures: **Within 30 days of receiving information requiring supplementation.**

(f) Termination of discovery: **July 27, 2018;**

(g) Motions relating to discovery: **August 27, 2018;**

(h) All other motions, including dispositive and *Daubert* motions: **September 18, 2018;**

(i) Pretrial order: Plaintiff to Defendant by: **October 3, 2018;**

Defendant to Court by: **October 10, 2018.**

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery. Requests by a party to change the timing or scope of discovery must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date so that the response to that request shall be due on or before the discovery deadline. The parties are further reminded that the cutoff

for motions related to discovery does not relieve the party of the 21-day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE